



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

1650 Arch Street

Philadelphia, Pennsylvania 19103-2029

SEP 16 2014

David Gouveia
Acting Regional Administrator for Protected Resources
National Marine Fisheries Service
1 Blackburn Drive
Gloucester, MA 01930

Dear Mr. Gouveia:

The U. S. Environmental Protection Agency (EPA) has completed its review of Maryland's revisions to its Water Quality Standards (WQS) regulation. On April 18, 2014, the Maryland Register published notice of the adoption of these revisions. EPA received the Maryland WQS Triennial review package for our approval in June 24, 2014. EPA Region III will likely approve, in accordance with Section 303(c) of the Clean Water Act (CWA), specific sections of Maryland's WQS that were new or revised in that adoption.

In order to fulfill our obligation under Section 7 of the Endangered Species Act (ESA), we prepared the enclosed Biological Evaluation to ensure that our approval will not adversely affect Federally-listed threatened and endangered species, and their critical habitat. The evaluation considers the effect of the approval of those new and revised WQS that pertain to aquatic life criteria and aquatic life use but does not consider the approval of other WQS where EPA lacks discretion to require implementation of measures that would benefit listed species. Based on the findings in the enclosed Biological Evaluation, EPA concludes that Maryland's adoption of new or revised regulations for aquatic life water quality criteria may affect but are not likely to adversely affect listed species in Maryland. The purpose of this letter is to formally submit and seek concurrence from the National Marine Fisheries Service on the Biological Evaluation. We hope we can obtain the Service's concurrence through informal consultation.

We ask that you respond to this letter as soon as possible. We look forward to an early reply to this letter and a favorable response to your review of the information. Should you have any questions concerning this correspondence or the enclosure, please contact me at (215)814-5717 or Mark Barath of my staff at (215)814-2759.

Sincerely,

Evelyn S. MacKnight, Associate Director
Office of Standards, Assessment & Total Maximum
Daily Loads
Water Protection Division

Enclosure